

Appl. No. 10/090,911

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Atty. Docket No. 8449M

Amendment Dated: 10/22/2004

Amendment to Office Action Dated 07/22/2004

REMARKS

Claims 1-9, 13-15, 18, 24, and 25 are currently pending.

CLAIM REJECTIONS UNDER 35 U.S.C. §103

Claims 1-9, 13-15, 18, 24, and 25 were rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over WO ("WO '259"). Applicants respectfully traverse the rejection.

On page 2 of the Office Action, it is alleged that it would have been obvious at the time the invention was made to make such a composition, because this reference teaches that all of the ingredients recited by applicants are suitable for inclusion in a surfactant composition. Applicants respectfully submit that WO '259 does not teach each and every limitation of the present invention.

As stated in the Office Action, WO '259 discloses a surfactant typically present at a most preferable range of 1% to 30% by weight. Applicants, however, respectfully submit that the present invention calls for surfactant scavengers. Applicants respectfully submit WO '259 does not disclose surfactant scavengers. At best, WO '259 discloses surfactants having the following form:



$$|$$

$$R^1$$

wherein Q is selected from -O-C(O)-, -C(O)-O-, -O-C(O)-O-, -NR⁴-C(O)-, -C(O)-NR⁴-;

R¹ is (CH₂)_n-Q-T² or T³;

R² is (CH₂)_m-Q-T⁴ or T⁵ or R³;

R³ is C₁-C₄ alkyl or C₁-C₄ hydroxyalkyl or H;

R⁴ is H or C₁-C₄ alkyl or C₁-C₄ hydroxyalkyl;

T¹, T², T³, T⁴, T⁵ are independently C₁₁-C₂₂ alkyl or alkenyl;

n and m are integers from 1 to 4; and

X⁻ is a softener-compatible anion. (Emphasis added)

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Applicants respectfully submit that R^1 of WO '259 contains a $C_{11}-C_{22}$ group $((CH_2)_n-Q-T^2$ or T^3). Such a structure is neither disclosed nor suggested in the present invention.

On page 3 of the Office Action, it alleges that the argument that a person of ordinary skill in the surfactant art would not turn to the cited reference to solve the problem addressed is not persuasive because the cited reference is drawn to the same general problem as the present claims, that of laundering fabric. Applicants respectfully submit that regarding laundering fabric, there is a plethora of problems associated with laundering fabrics having a large variety of technological solutions. The problem to be solved by the WO '259 involves improving the characteristics of cotton containing fabrics. Moreover, the solution of WO '259 suggests utilizing surfactants. The problems of the present invention involve minimizing sudsing and/or decreasing the effect of the surfactants found in laundry detergent. The solution suggested in the present invention involves the use of surfactant scavengers, not surfactants. Applicant submits that one of ordinary skill in the art would not look toward disclosures relating to enzymes for binding and hydrolyzing amorphous cellulose in cotton containing fabrics in order to formulate a composition for rinsing fabrics that have been washed in high suds forming detergent compositions. As such, and because of the differences in the art, Applicants respectfully submit that WO '259 does not disclose or suggest each and every limitation of the present invention.

Because WO '259 does not disclose or suggest each and every limitation of the present invention, Applicant respectfully submits that the rejection under 35 U.S.C. §103(a) be reconsidered and withdrawn.

With regard to all claims not specifically mentioned, these are believed to be allowable not only in view of their dependency on their respective base claims and any intervening claims, but also for the totality of features recited therein.

All claims are believed to be in condition for allowance. Should the Examiner disagree, Applicant respectfully invites the Examiner to contact the undersigned attorney for Applicant to arrange for a telephonic interview in an effort to expedite the prosecution of this matter.

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CONCLUSION

In view of the foregoing remarks, reconsideration of the application, withdrawal of the restriction requirement, and allowance of all claims are respectfully requested.

Respectfully submitted,

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